

**Notice of Allowability**

Application No.

10/633,621

Examiner

Dismerly E. Mercedes

Applicant(s)

HAMAGUCHI ET AL.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to comm. filed 9/16/2005.
2. ☒ The allowed claim(s) is/are 1,3-5 and 7-23.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments see pages 12-13 of Applicant's Remarks, filed 9/16/2005 and 3/18/2005, with respect to claims 1,3-5,7-23 have been fully considered and are persuasive. The 112, 1<sup>st</sup> para. rejection of claims 1,3-5,7-23 has been withdrawn.

### *Reasons For Allowance*

2. Claims 1, 3-5,7-23 are allowed.
3. The following is an examiner's statement of reasons for allowance:

Independent Claim 1 is allowable over Prior Art of Record, since the cited references taken alone or in combination do not teach or suggest a magnetic disk apparatus *"wherein the write element maintains a static position with respect to a body of me slider, and wherein me heat element and me write element are mutually differing components from one another and are distanced from one another on the slider; and a realigning mechanism that moves a position of the area heated by said heat element in a width direction of said slider, to dynamically realign the area heated onto a same track as the write element"* Independent Claim 3, is allowable over Prior Art of Record, since the cited references taken alone or in combination do not teach or suggest a magnetic disk apparatus *"wherein the heat element maintains a static position with respect to a body of me slider, and wherein me heat element and me write element are mutually differing components from one another and are distanced from one another on the slider; and a realigning mechanism that moves a position of the write element in a width direction of said slider, to dynamically realign the write head onto a same track as the area heated by the heat element."* Independent Claim 23, is allowable over Prior Art of Record, since the cited references taken alone or in combination do not teach or suggest a magnetic disk apparatus *"wherein the heat element maintains a static position with respect to a body of me slider, and wherein me heat element and me write*

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*element are mutually differing components from one another and are distanced from one another on the slider; and a realigning mechanism that moves at least one of a position of the area heated by said heat element and the write element in a width direction of said slider, to dynamically realign the area heated onto the same track as the write element during a write operation”*

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Hatam-Tabrizi et al. (US 6,324,130 B1); Boutaghou et al. (US 6,275,454); Coffey et al. (US 2004/0027728 A1), Gage et al. (US 5,828,644).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dismery E. Mercedes whose telephone number is 571-272-7558. The examiner can normally be reached on Monday - Friday, from 9:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 571-272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dismery E Mercedes  
Examiner  
Art Unit 2651

DM



**DAVID HUDSPETH**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**